

1  
2 Brooke D. Hagara, WSBA #35566  
3 Hagara Law PLLC  
4 1410 N. Mullan Rd. Ste. 207  
5 Spokane Valley, WA 99206  
6 Phone: (509) 290-6520  
7 Email: brooke@hagaralaw.com

8 Attorney for Casey A. Greer  
9 HONORABLE Mary Dimke  
10

11  
12 UNITED STATES DISTRICT COURT  
13 FOR THE EASTERN DISTRICT OF WASHINGTON  
14

15 UNITED STATES OF  
16 AMERICA,

17  
18 Plaintiff,

19 v.

20 CASEY ALLEN GREER (2),  
21

22 Defendant.  
23

NO. 2:23-CR-00074-MKD-2

Defendant Greer's Sentencing  
Memorandum

24  
25  
26 Casey Allen Greer, by and through his attorney, Brooke D.  
27  
28 Hagara, of Hagara Law, PLLC, hereby submits his Sentencing  
29  
30 Memorandum.  
31  
32

I. Introduction

Mr. Greer respectfully requests this court sentence him to 35 years incarceration, as per the statutory minimum on Counts 1-3 (25 year minimum), running consecutively to Count 7 (10 year minimum). Mr. Greer requests this court run his sentence concurrent with the sentence imposed by Spokane County Superior Court Case Number 22-1-00123-32, including the two years Mr. Greer has already served for the same conduct charged in this case.

A sentence of 25 years is sufficient but not greater than necessary after the court evaluates the advisory guidelines ranges and the factors under 18 U.S.C. § 3553(a). This sentence is also the minimum sentence required considering all counts on which the jury convicted Mr. Greer. A sentence of 35 years balances his relevant criminal history, provides him the opportunity to engage in programming, adequately deters future criminal activity, and protects the public.

II. 18 U.S.C. § 3553(a)

In accordance with the United States Supreme Court's decision in *U.S. v. Booker*, 543 U.S. 220 (2005), when sentencing a defendant, the sentencing court must consider the factors listed in 18 U.S.C. § 3553(a). Section 3553(a) provides, in pertinent part:

The court shall impose a sentence sufficient but not greater than necessary to comply with the purposes set forth in paragraph (2) of this subsection. The court, in determining the particular sentence to be imposed, shall consider

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed—
  - a. to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
  - b. to afford adequate deterrence to criminal conduct;
  - c. to protect the public from further crimes of the defendant; and
  - d. to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;

1  
2  
3 (3) the kinds of sentences available...

4  
5 (Emphasis added.)

6 Although the sentencing court must also consider the sentencing  
7  
8 guidelines, it must not give more weight to the sentencing guidelines  
9  
10 than to § 3553(a). *U.S. v. Zavala*, 443 F.3d 1165, 1169 (9<sup>th</sup> Cir. 2006).  
11  
12 Moreover, if the sentencing court treats a guidelines range as the  
13  
14 presumptive sentence, the court “will commit legal error by  
15  
16 misapplying § 3553(a).” *Id.* at 1170.

17 The sentencing court’s “task is to attempt to find the most  
18  
19 reasonable sentence for [the particular defendant] within the  
20  
21 territory of all possible reasonable sentences.” *Id.* Sentencing is not  
22  
23 mechanical, but rather a “difficult art.” *U.S. v. Diaz-Argueta*, 447  
24  
25 F.3d 1167, 1172 (9<sup>th</sup> Cir. 2006). It is “an act of reason as the judge  
26  
27 looking at this particular person and the circumstances of the crime  
28  
29 that this particular person has committed makes a judgment  
30  
31 following the prescriptions of [§ 3553(a)].” *Id.*  
32

1  
2  
3       **a. History, characteristics, and criminal history of the**  
4       **defendant.**

5       Mr. Greer was sexually assaulted when he was four years old. PSR  
6  
7       at 19. His family never offered him help to address this trauma, he  
8  
9       never went to a therapist, and he never saw any justice for the crimes  
10  
11       committed against him. *Id.* He spent his childhood between an abusive  
12  
13       home with an alcoholic mother, and in and out of foster care. *Id.* He  
14  
15       experienced constant abandonment, neglect, and abuse in his  
16  
17       formative years, leaving him unable to cope with his abuse or  
18  
19       understand appropriate boundaries with children and sexual activity.

20       When Mr. Greer was a teen in the 1990s, the traumatic  
21  
22       consequences of his childhood abuse came full circle. PSR at 16. Due  
23  
24       to his unprocessed and untreated trauma skewing his sense of right  
25  
26       and wrong, he had an inappropriate interaction with the child of a  
27  
28       family member. *Id.* When law enforcement became involved, he  
29  
30       cooperated fully and admitted to the entirety of the interaction. *Id.*

31       At the time of this conviction, Mr. Greer was evaluated for  
32

1  
2 therapy, but was determined to not be a candidate for outpatient  
3  
4 therapy due to not fully understanding the depth of his sexual  
5  
6 problems. *Id.* at 17. The court never required him to engage in sex  
7  
8 offender treatment or programming. He never received the help he  
9  
10 needed to address his trauma or the resulting inappropriate behaviors  
11  
12 and perversion of sexual norms. He could not ever afford to seek help  
13  
14 on his own due to his economic circumstances.

15 After Mr. Greer's 1996 case, he has not had any relevant criminal  
16  
17 history until the case before the court today. He has demonstrated  
18  
19 that, outside of the conduct in this case, he is not a danger to society.  
20  
21 He is not a violent man, and he does not have other criminal  
22  
23 tendencies beyond those that stem from the abuse and lack of services  
24  
25 he endured as a child.

26 **a. Nature and circumstances of the offense**  
27

28 Mr. Greer needs to be treated for sexual deviancy. While the issue  
29  
30 of sexual deviancy is complex, Mr. Greer does not have a drug or  
31  
32 alcohol addiction to complicate his ability to complete treatment. He

1  
2 will be able to immediately focus on addressing his trauma and the  
3  
4 subsequent deviancy during his incarceration with available  
5  
6 programming; unlike an individual who has other mental health or  
7  
8 addiction issues.

9 Mr. Greer also has the ability to comprehend and learn from  
10  
11 treatment. He has a GED and obtained an associate's degree in  
12  
13 applied sciences. He will be more successful in treatment than  
14  
15 someone with more diverse issues to address and less education to  
16  
17 apply the treatment.

18 **b. A 35-year sentence is sufficient to provide Mr. Greer**  
19 **with the necessary rehabilitation while also protecting the**  
20 **public.**  
21

22 If the court sentences Mr. Greer to the minimum sentence of 35  
23  
24 years, he may have the opportunity to reenter society as a peaceful  
25  
26 and law-abiding citizen. He humbly requests this court give him the  
27  
28 chance to be a better man and to have some chance of release before  
29  
30 the end of his life.

31 Mr. Greer is 47 years old; he will be 82 at release if this Court  
32

1  
2 imposes a 35-year concurrent sentence. This sentence length is  
3  
4 sufficient to protect the public and provide Mr. Greer with the  
5  
6 necessary rehabilitation.

7       A 35-year sentence adequately serves the factors the court must  
8  
9 consider under 18 U.S.C. § 3553(a). The sentence accounts for the  
10  
11 circumstances of the offense, Mr. Greer's history, is a just punishment,  
12  
13 and supports deterrence, incapacitation, and rehabilitation. 18 U.S.C.  
14  
15 § 3553(a). To sentence Mr. Greer to more than 35 years does not  
16  
17 further satisfy any of these factors, it only further ensures Mr. Greer  
18  
19 will likely die in prison.

20       Mr. Greer acknowledges the jury convicted him of horrific conduct  
21  
22 that cannot be excused. However, sentencing is a balancing act that  
23  
24 must take into consideration the conduct and the characteristics and  
25  
26 background of the person before the court. Mr. Greer requests the court  
27  
28 consider his difficult background and need for intensive treatment in  
29  
30 addition to the circumstances of his offenses. For the aforementioned  
31  
32 reasons, he respectfully requests the court impose a 35-year concurrent



1  
2 sentence.

3  
4 RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of April, 2025.

5  
6 /s/ Brooke Diane Hagara  
7 Brooke D. Hagara, WSBA #35566  
8 Attorney for Casey Allen Greer  
9

10  
11 **CERTIFICATE OF SERVICE**  
12

13 I hereby certify that on this 7<sup>th</sup> day of April, 2025, I electronically  
14 filed the foregoing with the Clerk of the Court using the CM/ECF  
15 System, which will notify Assistant United States Attorneys Ann Wick  
16 and Laurel Holland.  
17  
18  
19

20  
21 /s/ Brooke Diane Hagara  
22 Brooke D. Hagara  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32